



THE STATE OF UTAH
OFFICE OF STATE ENGINEER
SALT LAKE CITY

JOSEPH M. TRACY
STATE ENGINEER

June 1, 1956

Mr. L. C. Bishop
State Engineer of Wyoming
Capitol Building
Cheyenne, Wyoming

Dear Mr. Bishop:

RE: BURNT FORK DISTRIBUTION

This has reference to the 1956 distribution of water on Burnt Fork Creek.

Last year the two states agreed on a distribution schedule on Burnt Fork and the payment of the expenses of a water commissioner, 70% by Wyoming and 30% by Utah.

Last year we did not call a water users' meeting to provide for the appointment of a water commissioner and the payment of his expenses, as provided by law.

This year it was decided to call a water users' meeting for the purpose, among other things, of appointment of a water commissioner and the payment of his expenses in accordance with Section 73-5-1, Utah Code Annotated 1953. In accordance with notice mailed to the known water users in the area a meeting was held in the Court House at Manila, Utah on April 20, 1956. Those attending the meeting included the following:

David F. Miller
Earl Gamble ✓
Belroy Luke ✓
Bob Gamble ✓
Gene Gamble ✓
Arnold Olson ✓
Bud S. Triplett
Frank Wedsworth
Lewis Stall
Alton Beck
I. R. Beck
Beatrice & Myrtle Beck
Claude Sadlier
Reed Banks, St.

Joe Hickory
Harry D. Buckley
Velma Bullock O'Neil
Frank Gregory
Claude S. Bullock
Pearl L. Bullock
Beatrice Beck
C. W. Youngberg
Port Wilde for Reid Wilde
Oliver Killian
Larry R. Bullock
Roy C. Bullock
Don Clyde by J.W.Clyde
Lyle Anderson

Harry Katzmeyer
Wm. McGinnis, Sr.
Ivy T. Wedsworth
Edgar D. Denchard
Heber Bennion, Jr.
Keith Smith
Doe H. Donoho
Emil C. Grader
Earl Lloyd
Hubert Lambert
Joseph K. Tracy
Don Morest
Heber Bennion

The meeting was called to order by the Utah State Engineer. A large majority of the water users on Burnt Fork being present, the State Engineer explained that this year, if a water commissioner were appointed on Burnt Fork, it would be necessary, in compliance with Utah Law, for the water users in Utah to pay the cost and expense of distribution for Utah's share. After considerable discussion, a majority of the water users in Utah on Burnt Fork voted against the appointment of a water commissioner and assessing them for the cost of distribution. A like action on the

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combined group both from Utah and Wyoming was taken with the same result.

After further discussion, the State Engineer of Utah proposed that he would furnish the State Engineer of Wyoming a tentative Distribution Schedule for his consideration and, if satisfactory, the State Engineer of Utah would furnish an engineer from his office and along with Mr. Emil G. Gredart, Superintendent Water District No. 4, Wyoming, they would measure the water and fix the distribution in accordance with such schedule; all to cooperate and comply voluntarily on the basis of the schedule.

With one or possibly two exceptions this proposal was accepted by those present.

In accordance with the above arrangement there is given below a tentative tabulation for 1956 distribution based upon the latest acreage figures determined by survey in the Sweet Fork area with a flow calculated at 1.0 second-foot for 50 acres for Utah diverted rights with tentative priorities set by agreement, but not binding, as to the final adjudication. Priority and flow for Wyoming taken from Wyoming Adjudication Book.

SWEET FORK DISTRIBUTION (TENTATIVE)
1956

<u>State Diversion</u>	<u>Date of Div.</u>	<u>Priority</u>	<u>Flow Sec.Ft.</u>
Wyoming			
Utah	McEntee	Prior to 1885	4.70
"	Top	1884	70
		1885	12.38
		1888 - 1892	7.05
		1893	1.45
		1895	4.11
		1899	22.00
		1899 - 1901	4.23
		1901	12.70
		1901	1.72
		1901 - 1908	6.89
		1908	2.31
		1908 - 1912	7.23
		1912	4.50
		1912 - 1916	5.99
		1916	.91
		1916 - 1921	1.41
		1921	2.82
		1926	32.37
		Other	

6917 enlarged but uncorrected

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The Ike Spring flow which should be measured should be deducted from the Ike Canal rights (1901); the Indian Springs flow which should be measured should be deducted from the Highline Canal right; and Baldy Springs which should be measured should be deducted from the Baldy Spring Ditch. Mackrat Spring should be measured to determine overflow to Burnt Fork if any. Any other springs in the area are small and should not be considered in the distribution for the summer of 1956.

Under this arrangement there will be no expense to water users this year for distribution, as far as Utah is concerned. During the summer a second check can be made by our two engineers and any adjustments can be made at that time.

If the above plan is acceptable to you my engineer will be available to go to Burnt Fork at the convenience of Mr. Gradert preferably the week of June 3 or 10th. Mr. Gradert should call this office for a definite appointment.

For your information the Department of Justice has filed an action to remove the adjudication of the Green River in Summit, Daggett and Uintah Counties from the Utah District Court to the U. S. Court. Judge Christensen of the U. S. Court has heard the case and should render a decision soon.

Best personal regards.

Yours truly,

Joseph H. Tracy
STATE ENGINEER

JHT/sea

- cc: Governor J. Bracken Lee
State Capitol
Salt Lake City, Utah
- cc: George E. Glynn
Utah Water & Power Board
State Capitol
Salt Lake City, Utah
- cc: Don Horrocks, Engineer
State Engineer's Office
State Capitol
Salt Lake City, Utah
- cc: Bill C. Gradert
Supt. Water Division No. 1
Fort Bridger, Wyoming